



FARM ENVIRONMENTAL INSURANCE PROGRAM



COVERAGE FEATURES:

True Environmental Impairment Insurance custom designed for Farmers.

Your insurance coverage is not dependent on obscure exceptions to absolute pollution exclusions in Farm Liability Insurance policies.

Not currently available in Door County

The Environmental Impairment Liability policy insures for clean-up costs including well replacements.

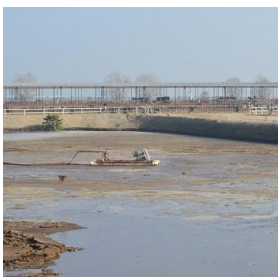
Coverage for damage to the property of others or causing bodily injury to non-employees.

Coverage for bacteria and odor as defined pollutants.

Coverage for release of "pollutants" arising from owned and leased properties, manure lagoons, participation in bio-gas plants, manure spreading, damages caused by pesticide herbicide application and storage, transportation of pollutants, non-owned disposal sites.

Underwriting includes parameters of the Wisconsin 590 Nutrient Management Plan.

WISCONSIN SUPREME COURT HOLDS MANURE IS A POLLUTANT!



In that case, *Wilson Mutual Insurance Co. v. Falk*, (Cases No. 2013AP691 & 2013AP776), the Court found a Wisconsin dairy farmer who allegedly caused groundwater contamination by spreading manure on his fields was not covered by a farm liability insurance policy... **Just because manure may be beneficial when spread on a field, does not mean it is not a pollutant.**

AFFORDABLE

Environmental Impairment Liability insurance is now available through Wisconsin insurance agents.

Low premiums

Limit of liability \$1,000,000
available limits up to \$10,000,000

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ENVIRONMENTAL IMPAIRMENT LIABILITY INSURANCE IS ESSENTIAL FOR FARMS



On December 30th, 2014 the Wisconsin supreme court in Wilson Mutual v. Falk determined that manure contamination in drinking water wells is excluded by the pollution exclusion in the liability insurance policies commonly sold to farms. This supreme court decision is significant because Wisconsin farmers apply 12 billion tons of manure on fields every year.

Judging from the agricultural trade press, having manure qualify as a pollutant in an insurance policy came as a surprise to farmers even though bacteria (a common contaminate in manure) has been a "pollutant" in Wisconsin insurance policies since 2002. A fact that was apparently ignored by the insurance claims adjusters at Wilson Mutual and therefore the supreme court in this case. Exclusions for losses involving bacteria in Wisconsin are a particularly onerous.

To address their potential liability for pollution events arising from their normal operations, farmers have routinely relied on the coverage provided in Farm Chemicals Limited Liability Coverage endorsements or the equivalent. These endorsements to the typical farm liability insurance policy in theory, partially circumvent pollution exclusions. Of particular interest in the dissenting supreme court opinion in the Wilson Mutual case the justice concluded that the coverage provided by this commonly relied upon coverage expansion endorsement "was useless" because it excludes losses for cleaning up, assessing or responding to the effects of pollutants. "Useless" pollution coverage in farm policies in the opinion of a supreme court justice will come as a big surprise to many insurance agents. Although the existence of pollution exclusions in business insurance is common practice and knowledge, somehow the effects of pollution exclusions on farmers has escaped high level evaluation for decades.

Farms in Wisconsin have needed affordable Environmental Impairment Liability insurance for their operations for decades.

The only reliable way to fill the insurance gaps created by pollution exclusions is through the purchase of a separate Environmental Impairment Liability (EIL) insurance policy. This has been the case in the insurance business since 1986 when the Absolute Pollution Exclusion was introduced. EIL insurance has been continuously available in Wisconsin since 1980. However, the EIL insurance policies which were originally designed for industrial operations are not well suited to insure farms. ARMR.Network, LLC insurance designers have created the first affordable customized Environmental Impairment Liability insurance policy for farms in Wisconsin.

Pollution damage claims can be very expensive. There is no need for farmers to bet the farm every day dependent upon on how a pollution exclusion in an insurance policy may operate in a particular fact situation or by being uninsured for the environmental risks which are inherent and unavoidable in farming operations.

About ARMR.Network, LLC

American Risk Management Resources Network, LLC in Middleton, Wisconsin is a wholesale insurance brokerage firm that specializes in the design and sale of environmental insurance products. Our custom designed insurance product was specifically created to address the environmental insurance needs of Wisconsin farmers. It is available for purchase through local insurance agents.

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